

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: 49,556	2. Status Change Date: 7/11/2017	3. Field Office: 02	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) New to system
Person ID **64833**
Add Seq# _____

**SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110**

7b. Landowner(s) New to system
Person ID **36109**
Add Seq# _____

**TWYLA L HOOBLER WAGNER TRUST
1345 E 130TH AVE N
MULVANE KS 67110-8333**

7c. Landowner(s) New to system
Person ID _____
Add Seq# _____

7d. Misc. New to system
Person ID _____
Add Seq# _____

8. WUR Correspondent New to system
Overlap File (s) WUC Agree Yes No
7a.

Person ID _____
Add Seq# _____
Notarized WUC Form

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN
 STK SED DOM CON
 HYD DRG WTR PWR ART RECHRG
 IND SIC: _____ OTHER: _____

10. Completion Date: **12/31/2018** 11. Perfection Date: **12/31/2022** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: **12/31/2018** Date WLMD Installed: _____

Date Prepared: **6/7/17** By: **MJM**
Date Entered: **7/12/2017** By: **CM**

File No. **49,556** 15. Formation Code: 100 Drainage Basin: **Ninnescah River** County: **SU** Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD		85035		NWSWSE	9	30S	1E	13	694	2106 Geo-Ctr
ENT		86227		NWSWSE	9	30S	1E		877	2326 Batt 1 of 4
ENT		86228		NESWSE	9	30S	1E		890	1881 Batt 2 of 4
ENT		86229		SWSWSE	9	30S	1E		506	2320 Batt 3 of 4
ENT		86230		SESWSE	9	30S	1E		503	1895 Batt 4 of 4
Battery ID# 2034										

17. Rate and Quantity				
Authorized		Additional		
Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
800	180	800	180	None

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	NO	Overlap Files	
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD		67579		9	30S	1E	5									25.5	30.5	16	11.5	83.5	7b.		
ENT		68450		10	30S	1E									33.5	33.5				67	7b		
Total Acres																				150.5			

Comments: **PU Modified during processing of application. Application listed as in Arkansas River Drainage basin but based on map actually located in Ninnescah River.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: Jun 7, 2017

FROM: Matt Meier

RE: Application, File No. 49,556

Shelly S. Hoobler has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 180 acre-feet, and a diversion rate of 800 gallons per minute. The Geo-Center is to be located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 9, more particularly described as being near a point 694 feet North and 2,106 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East, Sumner County, within the Ninnescah River drainage basin. There are no other water rights overlapping the proposed place of use or point of diversion. The proposed place of use is owned by Twyal Hoobler Wagner. The applicant has signed the application form stating that she has legal access to the point of diversion.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 2,122.32 acre-feet, providing a difference of 591.86 acre-feet available for appropriation, and the application requesting 180 acre-feet complies with safe yield.

A test hole log was submitted with the pending application, one which shows top soil from 0 to 1 feet, clay from 1 to 5 feet, clay with fine sand from 5 to 8 feet, medium to coarse sand from 8 to 16 feet, medium sand and gravel with clay from 16 to 19 feet, medium to coarse sand and gravel from 19 to 24 feet, sand and gravel with floating shale from 24 to 26 feet, and shale from 26 to 40 feet. The static water level was listed at 8 feet which provides a saturated thickness of 18 feet unless applicant ends up casing wells into shale. The test hole log listed the well as not cased.

The requested quantity of water, 180 acre-feet, is to irrigate the proposed 150.5 acres identified in the application. This is 1.2 acre-feet per acre which is less than the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

Due to the large number of nearby domestic wells the applicant requested that a public notice be run as well as mailing out nearby notification letters, which were sent out on April 5, 2017. No contact of any kind was received. According to the WRIS database, the nearest non-domestic point of diversion (File No. 49468) is located 2,883 feet away. The nearest domestic well/house is approximately 990 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on June 6, 2017. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary



Phone: (785) 564-6700

Fax: (785) 564-6777

Email: ksag@kda.ks.gov

www.agriculture.ks.gov

Sam Brownback, Governor

July 13, 2017

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

FILE COPY

RE: Application, File No. 49,556

Dear Shelly Hoobler:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office
TWYLA L HOOBLER WAGNER TRUST



KANSAS DEPARTMENT OF AGRICULTURE
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
 and
 PERMIT TO PROCEED**
 (This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,556** of the applicant

**SHELLY S HOOBLER
 1345 E 130TH AVE N
 MULVANE KS 67110**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **February 8, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL	
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
9 30S 1E														25.5	30.5	16	11.5	83.5
10 30S 1E											33.5	33.5						67

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, the Geo-Center of which is to located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 9, more particularly described as being near a point 694 feet North and 2,106 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East, Sumner County, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **180 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

13. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 11th day of July, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau
Lane P. Letourneau, L.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 11th day of July, 2017, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

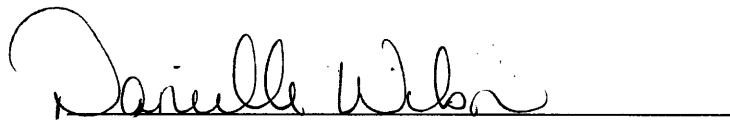
On this ^{13th} day of July, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,556, dated July 11, 2017 was mailed postage prepaid, first class, US mail to the following:

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

With photocopies to:

TWYLA L HOOBLER WAGNER TRUST
1345 E 130TH AVE N
MULVANE KS 67110-8333

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

MAR 28 2016

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

4-17-17 KAB
APPLICATION COMPLETE
3-28-16
Reviewer MM

File Number 49,556
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

FEB 08 2016

1:45
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): SHELLY SCOT HOOBLER
Address: 1345 E 130N
City: MULVANE KS State KS Zip Code 67110
Telephone Number: (316) 641-8256

2. The source of water is: surface water in _____ (stream)
OR groundwater in Arkansas River Ninnesah River (drainage basin) * MSM/SFFU based on basin map.

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 180 acre-feet OR 58,653,180 gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

- (a) Artificial Recharge
- (b) Irrigation
- (c) Recreational
- (d) Water Power
- (e) Industrial
- (f) Municipal
- (g) Stockwatering
- (h) Sediment Control
- (i) Domestic
- (j) Dewatering
- (k) Hydraulic Dredging
- (l) Fire Protection
- (m) Thermal Exchange
- (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:														
F.O.	<u>2</u>	GMD	<u>0</u>	Meets K.A.R. <u>5-371</u> (YES / NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>SU</u>	By	<u>ASW</u>	Date	<u>2/8/16</u>
Code	<u>BE2</u>	Fee \$	<u>300</u>	TR #		Receipt Date	<u>2/8/16</u>	Check #	<u>4799</u>					

SCANNED

2/9/2016 LCM

Geo-Center NW SW SE 694' N 9 2106' W File No. 49,556
Sec. 9 T30S R1E Sumner Co.

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the N/W quarter of the S/W quarter of the S/E quarter of Section 9, more particularly described as being near a point 877 feet North and 2326 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East West (circle one), Sumner County, Kansas.

(B) One in the N/E quarter of the S/W quarter of the S/E quarter of Section 9, more particularly described as being near a point 890 feet North and 1881 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East West (circle one), Sumner County, Kansas.

(C) One in the S/W quarter of the S/W quarter of the S/E quarter of Section 9, more particularly described as being near a point 506 feet North and 2320 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East West (circle one), Sumner County, Kansas.

(D) One in the S/E quarter of the S/W quarter of the S/E quarter of Section 9, more particularly described as being near a point 503 feet North and 1895 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East West (circle one), Sumner County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

TWYLA WAGNER

(name, address and telephone number)

1345 E 130th

MULVANE KS 67110

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Feb 1, 2016. Shelly J. Hobbie
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 4 wells
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) ASAP
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 5-1-2016
(Mo/Day/Year)

WATER RESOURCES RECEIVED

MAR 28 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

FEB 08 2016

KS DEPT OF AGRICULTURE

SCANNED

please allow 60 days to locate
Bat 1 of 4
Bat 2 of 4
Bat 3 of 4
Bat 4 of 4

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.
All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir. *NA*

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No *NA*

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information: *See attached*

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

NA

WATER RESOURCES
RECEIVED

MAR 28 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

FEB 08 2016

KS DEPT OF AGRICULTURE

SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available. *NA*

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>Is Attached</u>			
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of Owner of the property is my Grandma
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Twyla Hoobler Wagner 1345 E 130th Ave N Mulvane KS 67110
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Mulvane, Kansas, this 1 day of Feb, 2016.
(month) (year)

Shelly J Hoobler
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

MAR 28 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

FEB 08 2016

KS DEPT OF AGRICULTURE

SCANNED

3/24/16 changed place of use

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49,556

Name of Applicant (Please Print): Shelly Hoobler

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: TWYLA Wagner
ADDRESS: 1345 E. 130th Mulvane, KS 67110

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
9	30S	1E																25.5	30.5	16	11.5	83.5

Landowner of Record NAME: TWYLA Wagner
ADDRESS: 1345 E. 130th Mulvane, KS 67110

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
10	30S	1E										33.5	33.5									67
			Combined Total																		150.5	

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

_____ Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler

_____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

#49556

Same		IRR NK G	NE SW NW	3480	4130	15	30	01E	3	WR					
Same		IRR NK G	NE SW NW	3880	4530	15	30	01E	2	WR					
Same		IRR NK G	NE SW NW	3480	4530	15	30	01E	4	WR					
A	42032	00	IRR NK G	NE NE NE	5220	100	18	30	01E	1	WR	198.00	198.00	132.00	132.00
A	42428	00	IRR NK G	SE NW SE	1419	1936	07	30	01E	4	WR	59.00	59.00	79.60	79.60
A	43919	00	IRR LR G		3164	2660	05	30	01E	4	WR	86.20	86.20	111.00	0.00
A	45474	00	IRR KK G	E2 E2 NW	3960	2980	15	30	01E	6	WR	169.00	169.00	130.00	0.00
A	46040	00	THX NK G		4008	3005	04	30	01E	3	WR	15.82	15.82		
A	46301	00	IRR GY G	SW NE SE	1701	975	33	29	01E	5	WR	88.20	0.00	229.56	0.00
A	47349	00	IRR LO G		3758	3175	04	30	01E	8	WRF	8.00	8.00	30.00	30.00
Same		IRR LO G			3789	3176	04	30	01E	9	WRF				
Same		IRR LO G			3727	3173	04	30	01E	10	WRF				
Same		MUN LO G			3758	3175	04	30	01E	8	WRF				
Same		MUN LO G			3789	3176	04	30	01E	9	WRF				
Same		MUN LO G			3727	3173	04	30	01E	10	WRF				
A	49468	00	IRR GY G	NW SW SW	1271	4930	09	30	01E	12	WR	97.50	97.50	75.00	75.00
Same		IRR GY G	SW NW SW		1270	5210	09	30	01E	14	WR				
Same		IRR GY G	NW SW SW		1553	4930	09	30	01E	15	WR				
Same		IRR GY G	NW SW SW		1270	4650	09	30	01E	16	WR				
Same		IRR GY G	NW SW SW		990	4930	09	30	01E	17	WR				
A	49502	00	IRR GY G	SE SE NW	2711	2695	10	30	01E	3	WR	156.00	156.00	120.00	120.00
Same		IRR GY G	NE NE SW		2424	2697	10	30	01E	4	WR				
Same		IRR GY G	SW SW SE		2715	2408	10	30	01E	5	WR				
Same		IRR GY G	SE SE NW		3005	2695	10	30	01E	6	WR				
Same		IRR GY G	SE SE NW		2710	2985	10	30	01E	7	WR				
A	49556	00	IRR AY G	SE	660	2310	09	30	01E	13	WR	180.00	180.00	138.00	138.00
A	49737	00	THX AY G		3758	3175	04	30	01E	8	WR	14.00	14.00		
Same		THX AY G			3789	3176	04	30	01E	9	WR				
Same		THX AY G			3727	3173	04	30	01E	10	WR				
A	49782	00	IRR AY G	SE NW SE	1419	1936	07	30	01E	4	WR	103.50	44.50	79.60	0.00

2122.32
AF
Appropriation

238.5 AF pending

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

694 ft N and 2106 ft W of the SE Corner of Section 9, T 30S, R 1E

Located at: 97.320564 West Longitude and 37.452086 North Latitude

GROUNDWATER ONLY

\$49556

meets spacing

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 2765	00	IRR	NK	G	3242	--	NW	SW	NE	3922	2404	9	30	1E	4	26.00	26.00	AF
A__ 16544	00	IRR	NK	G	7076	--	NC	NE	SE	1967	616	10	30	1E	2	16.00	16.00	AF
Same					9314	--	NC	NW		3849	4101	11	30	1E	7	57.00	57.00	AF
A__ 29729	00	IRR	NK	G	10451	--	NE	SE	SW	753	2784	34	29	1E	9	60.00	42.00	AF
A__ 30512	00	IRR	NK	G	7845	--	NC	W2	SE	1320	1980	5	30	1E	1	42.00	42.00	AF
A__ 31560	00	IRR	NK	G	9351	--	NC	SW		1360	4000	5	30	1E	2	194.00	194.00	AF
A__ 34564	00	IRR	NK	G	8887	--	NC	SW		1320	4000	11	30	1E	2	178.00	178.00	AF
A__ 37597	00	IRR	NK	G	9018	--	NW	SE	SW	1025	3855	11	30	1E	4	24.00	24.00	AF
A__ 38805	00	IRR	NK	G	3242	--	NW	SW	NE	3922	2404	9	30	1E	4	153.00	153.00	AF
A__ 39212	00	IRR	NK	G	10400	--	NE	NE	SW	2520	3000	14	30	1E	7 B 3	180.00	134.00	AF
A__ 40107	00	IRR	NK	G	3996	--	NE	SW	NW	3856	4549	9	30	1E	7 G 4	202.50	202.50	AF
Same					4097	--	NE	SW	NW	3983	4549	9	30	1E	8 B 4			
Same					3895	--	NE	SW	NW	3728	4549	9	30	1E	9 B 4			
Same					3934	--	NE	SW	NW	3856	4447	9	30	1E	10 B 4			
Same					3981	--	NE	SW	NW	3856	4524	9	30	1E	11 B 4			
A__ 40199	00	IRR	NK	G	9704	--	--	--	--	3164	2660	5	30	1E	4	65.30	65.30	AF
A__ 41240	00	IRR	NK	G	3973	--	NE	NW	NW	3681	4331	15	30	1E	1 G 4	145.00	145.00	AF
Same					3697	--	NE	SW	NW	3880	4530	15	30	1E	2 B 4			
Same					4252	--	NE	SW	NW	3480	4130	15	30	1E	3 B 4			
Same					3930	--	NE	SW	NW	3480	4530	15	30	1E	4 B 4			
Same					4033	--	NE	SW	NW	3884	4133	15	30	1E	5 B 4			
A__ 42032	00	IRR	NK	G	8440	--	NE	NE	NE	5220	100	18	30	1E	1	198.00	198.00	AF
A__ 42428	00	IRR	NK	G	10339	--	SE	NW	SE	1419	1936	7	30	1E	4	59.00	59.00	AF
A__ 43919	00	IRR	LR	G	9704	--	--	--	--	3164	2660	5	30	1E	4	86.20	86.20	AF
A__ 45474	00	IRR	KK	G	5035	--	E2	E2	NW	3960	2980	15	30	1E	6	169.00	169.00	AF
A__ 46040	00	THX	NK	G	8621	--	--	--	--	4008	3005	4	30	1E	3	15.82	15.82	AF
A__ 47349	00	IRR	LO	G	8395	--	--	--	--	3758	3175	4	30	1E	8 G 2	8.00	8.00	AF
Same					8426	--	--	--	--	3789	3176	4	30	1E	9 B 2			
Same					8364	--	--	--	--	3727	3173	4	30	1E	10 B 2			
A__ 47349	00	MUN	LO	G	8395	--	--	--	--	3758	3175	4	30	1E	8 G 2	7.00	7.00	AF
Same					8426	--	--	--	--	3789	3176	4	30	1E	9 B 2			
Same					8364	--	--	--	--	3727	3173	4	30	1E	10 B 2			
A__ 49468	00	IRR	GY	G	2883	--	NW	SW	SW	1271	4930	9	30	1E	12 G 4	97.50	97.50	AF
Same					3157	--	SW	NW	SW	1270	5210	9	30	1E	14 B 4			
Same					2952	--	NW	SW	SW	1553	4930	9	30	1E	15 B 4			
Same					2609	--	NW	SW	SW	1270	4650	9	30	1E	16 B 4			
Same					2840	--	NW	SW	SW	990	4930	9	30	1E	17 B 4			
A__ 49502	00	IRR	GY	G	5293	--	SE	SE	NW	2711	2695	10	30	1E	3 G 4	156.00	156.00	AF
Same					5186	--	NE	NE	SW	2424	2697	10	30	1E	4 B 4			
Same					5560	--	SW	SW	SE	2715	2408	10	30	1E	5 B 4			
Same					5414	--	SE	SE	NW	3005	2695	10	30	1E	6 B 4			
Same					5027	--	SE	SE	NW	2710	2985	10	30	1E	7 B 4			
A__ 49556	00	IRR	AY	G	207	--	--	--	SE	660	2310	9	30	1E	13	180.00	180.00	AF
A__ 49737	00	THX	AY	G	8395	--	--	--	--	3758	3175	4	30	1E	8 G 2	14.00	14.00	AF
Same					8426	--	--	--	--	3789	3176	4	30	1E	9 B 2			
Same					8364	--	--	--	--	3727	3173	4	30	1E	10 B 2			

A__	49782 00 IRR AY G	10339 -- SE NW SE	1419	1936	7	30	1E	4	103.50	44.50	AF
T__	20119026 00 IND GY G	9040 -- SE NW NW	4140	4460	4	30	1E	11 G 2	58.00	58.00	AF
Same		8896 -- SE NW NW	3990	4460	4	30	1E	12 B 2			
Same		9184 -- SE NW NW	4290	4460	4	30	1E	13 B 2			

```

=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =     238.50           .00
Total Permitted Amount (AF) =     480.50           .00
Total Inspected Amount (AF) =     101.20           .00
Total Pro_Cert Amount (AF) =         .00           .00
Total Certified Amount (AF) =    1551.62           .00
Total Vested Amount (AF) =         .00           .00
TOTAL AMOUNT (AF) =                2371.82           .00
    
```

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.320564 West Longitude and 37.452086 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number      Use ST SR
    
```

A__ 2765 00 IRR NK G

> FORREST G BUTTS

>

> 205 S CENTRAL AVE

> MULVANE KS 67110

>-----

A__ 16544 00 IRR NK G

> KYLE J & MICHELLE S MCADAM

>

> 1255 N LONDON RD

> BELLE PLAINE KS 67013

>-----

> MELBA NEECE IRREVOCABLE TRUST

> ROGER NEECE - TRUSTEE

> 1331 N HILLSIDE RD

> MULVANE KS 67110

>-----

A__ 29729 00 IRR NK G

> JOHN PAUL GROTHOR

>

> 11804 S HYDRAULIC ST

> PECK KS 67120

>-----

A__ 30512 00 IRR NK G

> GALEN L & DORALE J GERLACH

>

> 1429 N SENECA RD

> PECK KS 67120

#49556

>-----
A__ 31560 00 IRR NK G
> FORREST G BUTTS
>
> 205 S CENTRAL AVE
> MULVANE KS 67110
>-----

A__ 34564 00 IRR NK G
> KENT A & REBECCA M OTT
>
> 11621 S HILLSIDE ST
> MULVANE KS 67110
>-----

A__ 37597 00 IRR NK G
> KENT A & REBECCA M OTT
>
> 11621 S HILLSIDE ST
> MULVANE KS 67110
>-----

A__ 38805 00 IRR NK G
> FORREST G BUTTS
>
> 205 S CENTRAL AVE
> MULVANE KS 67110
>-----

A__ 39212 00 IRR NK G
> KENT A & REBECCA M OTT
>
> 11621 S HILLSIDE ST
> MULVANE KS 67110
>-----

A__ 40107 00 IRR NK G
> FORREST G BUTTS
>
> 205 S CENTRAL AVE
> MULVANE KS 67110
>-----

A__ 40199 00 IRR NK G
> JOHN PAUL GROTHER
>
> 11804 S HYDRAULIC ST
> PECK KS 67120
>-----

A__ 41240 00 IRR NK G
> KENT A & REBECCA M OTT
>
> 11621 S HILLSIDE ST
> MULVANE KS 67110
>-----

A__ 42032 00 IRR NK G
> GARLAND J BELL REV TRUST
>

> 1420 N MERIDIAN RD
> PECK KS 67120

A__ 42428 00 IRR NK G
> FREDERICK L SIMS
>
> 417 E 140TH AVE N
> PECK KS 67120

A__ 43919 00 IRR LR G
> JOHN PAUL GROTHER
>
> 11804 S HYDRAULIC ST
> PECK KS 67120

A__ 45474 00 IRR KK G
> KENT A & REBECCA M OTT
>
> 11621 S HILLSIDE ST
> MULVANE KS 67110

A__ 46040 00 THX NK G
> WYLDEWOOD CELLARS
> DR JOHN A BREWER
> PO BOX 45
> MULVANE KS 67110

A__ 47349 00 IRR LO G
> WYLDEWOOD CELLARS
> DR JOHN A BREWER
> PO BOX 45
> MULVANE KS 67110

A__ 47349 00 MUN LO G
> WYLDEWOOD CELLARS
> DR JOHN A BREWER
> PO BOX 45
> MULVANE KS 67110

A__ 49468 00 IRR GY G
> JUSTIN KELLY
>
> 726 WESTCHESTER PLACE
> ANDOVER KS 67002

A__ 49502 00 IRR GY G
> SHELLY S HOOBLER
>
> 1345 E 130TH AVE N
> MULVANE KS 67110

A__ 49556 00 IRR AY G

\$49,586

> TWYLA L HOOBLER WAGNER TRUST
> .
> 1345 E 130TH AVE N
> MULVANE KS 67110

A__ 49737 00 THX AY G
> WYLDEWOOD CELLARS
> DR JOHN A BREWER
> PO BOX 45
> MULVANE KS 67110

A__ 49782 00 IRR AY G
> MARTIN TERNES
>
> 1068 N WEST ROAD
> PECK KS 67120

T__20119026 00 IND GY G
> KANSAS STAR CASINO LLC
>
> 777 KANSAS STAR DR
> MULVANE KS 67110

=====

Meier, Matt

From: Lanterman, Jeff
Sent: Friday, March 31, 2017 3:40 PM
To: Whitesell, Alex
Cc: Conant, Cameron; Meier, Matt
Subject: FW: 49468
Attachments: Memo.docx; 49468 app map.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Alex. This one has kind of been through the review wringer. For the reasons stated we think it can be approved.

Thanks for your work on this. (all involved) Gives a Water Commissioner a little less heartburn.

Jeff

From: Conant, Cameron
Sent: Friday, March 31, 2017 10:48 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: 49468

Jeff, below I've summarized why we did not require a limited saturated thickness study in this case. Matt should also do this for 49556 & 49752 if they get to the point of being approved. This doesn't necessarily need to go into the memo, the emails should be in the file I think.

In cases like this where the test log shows limited saturated thickness, we have required the applicant to provide additional information that proves the requested quantity of water is available from the source. We did not require additional information in this case because there are several nearby irrigation wells in operation and recently tested, with well logs showing similar limited saturated thickness. The tested rates indicate the limited aquifer is capable of producing the requested rate of 800gpm. The full review that helped make this determination is located below in this email chain for reference.

I've attached the application map, it appears all owners w/in ½ mile were notified (9 total, 3 written responses). I spoke with one of the concerned domestic well owners as well. Their concerns were mainly about this impacting their domestic wells, and one also had concerns about drainage from the new irrigation system. In this case, all rules and regs are met, SY is available, the requested quantity appears to be available from the source based on nearby producing wells, and spacing is great (geo-center appears to be over 1320 to any domestics).

I think this can be recommended for approval and passed on to Alex.

Cameron

From: Conant, Cameron
Sent: Friday, February 24, 2017 10:55 AM
To: Whitesell, Alex <Alex.Whitesell@ks.gov>; Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Meier, Matt <Matt.Meier@ks.gov>
Subject: RE: 49468

Alex, just notify those in the ½ mile.

I agree with you Jeff. With this determination, we'll need to process all 3 nearby apps the same. Make sure all three memos are consistent with why we did not do a LST study. Matt and Alex can work together to make sure the memos are consistent.

Cameron

From: Whitesell, Alex
Sent: Friday, February 24, 2017 10:49 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>; Conant, Cameron <Cameron.Conant@ks.gov>
Cc: Meier, Matt <Matt.Meier@ks.gov>
Subject: RE: 49468

Thanks for looking into this everyone. Another domestic related question. The applicant provided addresses for folks who are outside the half-mile circle, should I still notify?

From: Lanterman, Jeff
Sent: Friday, February 24, 2017 10:22 AM
To: Conant, Cameron; Whitesell, Alex
Cc: Meier, Matt
Subject: RE: 49468

This is a tough one. The aquifer can obviously produce it in the area.

I think we consider the existing wells as proof of that in the memo(As far as reasoning why we are bypassing) the LST study.

Hope our spacing and safe yield is enough to protect all the domestics nearby. That's a little scary. At 15% storage coefficient putting on 14" of wet water on the irrigated ground doesn't leave much for Domestics around.

From: Conant, Cameron
Sent: Thursday, February 23, 2017 1:21 PM
To: Whitesell, Alex <Alex.Whitesell@ks.gov>; Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Meier, Matt <Matt.Meier@ks.gov>
Subject: RE: 49468

Jeff, two well logs for this application are attached. They are not pretty. Both show shale at 27' and SWL of 15' for a total saturated thickness of 12'. This criteria alone meets the limited saturated thickness guideline we have set for requesting additional information to ensure that the requested quantity of water can even be pulled from the aquifer. That said, we also decided before requesting the additional study we would review surrounding water rights to see if they have existing wells with similar logs, which have been developed and pumped in a manner that a reasonable determination can be made to say that the requested rate and quantity is reasonable and "available from the source".

I've attached a single well log from 2765 & 38805 which tested at 650gpm. Shale at 37', SWL at 15', saturated thickness of 22'. These files are a single well located ~3800'NE of the proposed battery for 49468.

I've attached one representative well log from a battery of wells which tested at 710gpm. Shale at 42', SWL at 16', saturated thickness of 26'. This battery is located ~2600'N of the proposed battery for 49468. Also should note on this file that the battery is located ~800' from the nearest of a clump of domestic wells. The proposed new app, 49468, is located about ~1320' from the nearest domestic well.

I also pulled a log for 45474, couldn't find one for 41240, but the log for 45474 showed about 17' of saturated thickness, Shale at 23' and water level at 6'. The battery tested at 575gpm.

Alex still needs your executive decision with regard to doing the additional study or not based on the limited saturated thickness. Are the logs similar enough to move forward with processing 46468 as it has currently been filed or do you want additional study.

Keep in mind that 49468, 49556, 49752 are very close by and will be worked as soon as this one is moved on. I'm sure they will all fall into the limited saturated thickness criteria...question will be, do surrounding logs and tested rates justify that the requested quantity is available from source.

Let me know if you want to talk it over a bit more.

Cameron

From: Whitesell, Alex

Sent: Thursday, February 23, 2017 11:48 AM

To: Conant, Cameron <Cameron.Conant@ks.gov>; Lanterman, Jeff <Jeff.Lanterman@ks.gov>

Subject: 49468

I have an application in Sumner Co. that is now able to be processed due to some older files being dismissed prior to approval.

I am emailing because there isn't great saturated thickness in the area and there are several domestic wells identified by the applicant. I guess I just wanted your opinions on proceeding with this application. Should I go ahead and notify nearby? Or is there any other thing I should be considering.

The application is scanned into docuware including well logs. The newest docuwar entry should have everything there.

Thanks!

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

Draft

TO: Files

DATE: Jun 6, 2017

FROM: Matt Meier

RE: Application, File No. 49,556

Shelly S. Hoobler has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 180 acre-feet, and a diversion rate of 800 gallons per minute. The Geo-Center is to be located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 9, more particularly described as being near a point 694 feet North and 2,106 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East, Sumner County, within the Arkansas River drainage basin. There are no other water rights overlapping the proposed place of use or point of diversion. The proposed place of use is owned by Twyal Hoobler Wagner. The applicant has signed the application form stating that she has legal access to the point of diversion.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 2,122.32 acre-feet, providing a difference of 591.86 acre-feet available for appropriation, and the application requesting 180 acre-feet complies with safe yield.

A test hole log was submitted with the pending application, one which shows top soil from 0 to 1 feet, clay from 1 to 5 feet, clay with fine sand from 5 to 8 feet, medium to coarse sand from 8 to 16 feet, medium sand and gravel with clay from 16 to 19 feet, medium to coarse sand and gravel from 19 to 24 feet, sand and gravel with floating shale from 24 to 26 feet, and shale from 26 to 40 feet. The static water level was listed at 8 feet which provides a saturated thickness of 18 feet unless applicant ends up casing wells into shale. The test hole log listed the well as not cased.

The requested quantity of water, 180 acre-feet, is to irrigate the proposed 150.5 acres identified in the application. This is 1.2 acre-feet per acre which is less than the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

Due to the large number of nearby domestic wells the applicant requested that a public notice be run as well as mailing out nearby notification letters, which were sent out on April 5, 2017. No contact of any kind was received. According to the WRIS database, the nearest non-domestic point of diversion (File No. 49468) is located 2,883 feet away. The nearest domestic well/house is approximately 990 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

6/16/17
Concurs w/ Mr. H's Recommendation
Approve it
JZ W.C.

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311

Fax: (620) 234-6900

www.agriculture.ks.gov

Sam Brownback, Governor

April 5, 2017

Brian & Jennifer Westhoff
974 E 130th Ave N.
Peck, KS 67120

Re: Pending Application, File No. 49,556

Dear Sir or Madam:

This is to advise you that Shelly Scot Hoobler has filed the application referred to above for a permit to appropriate 180 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,556 is a battery of four (4) wells, the geo-center of which located as follows:

In the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 9, Township 30 South, Range 1 East, Sumner County, Kansas.

A map is enclosed indicating the location of the proposed wells. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier

Environmental Scientist

Water Appropriations Program

SCANNED

Enclosure

pc:

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



0 650 1,300 2,600 3,900 5,200 Feet

Legend

- + Section Corners
- Section Lines

MJM-DWR 4/5/17

Proposed Water Appropriation, File No. 49,556
9-30S-1E
Sumner County



Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

April 5, 2017

Daniel & Glenda Davis
946 E 130th Ave N.
Peck, KS 67120

Re: Pending Application, File No. 49,556

Dear Sir or Madam:

This is to advise you that Shelly Scot Hoobler has filed the application referred to above for a permit to appropriate 180 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,556 is a battery of four (4) wells, the geo-center of which located as follows:

In the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 9, Township 30 South, Range 1 East, Sumner County, Kansas.

A map is enclosed indicating the location of the proposed wells. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriations Program

SCANNED

Enclosure

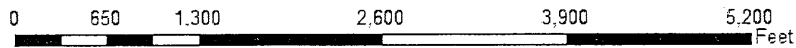
pc:

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
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Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 4/5/17

Proposed Water Appropriation, File No. 49,556
9-30S-1E
Sumner County



Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

March 21, 2017

Shelly S. Hoobler
1345 E 130th Ave N.
Mulvane, KS 67110

RE: Application, File No. 49,556

Dear Shelly:


Due to the large number of domestic wells in the area surrounding this proposed appropriation, you requested a public notice to notify the nearby landowners.

Enclosed is a public notification for your application to appropriate water for beneficial use. This notice should be published in a local newspaper(s) once per week for three consecutive weeks at your expense. An affidavit of publication or copies of the published notification are to be submitted to this office within two weeks of the final publication date. The date proposed in Paragraph No. 2 of the notice is designed to allow at least 15 days for public comment following the final publication, and should be revised as needed to ensure this time allowance is met.

Additionally, my review of the application determined that the test hole log was missing information on the static water level. Please contact your driller to see if you can obtain information on what the static water level is/was.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,


Matt Meier
Environmental Scientist
Permits Unit

Enclosure
pc:

8 ~~8~~ static

REC'D
4-17-17

SCANNED

Affidavit of Publication

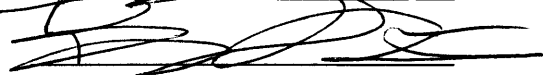
Briana Bade

Of lawful age being duly sworn upon oath states:
That she is the lawful billing clerk at

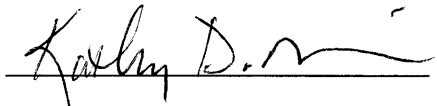
Times-Sentinel Newspapers, LLC
(The Conway Springs Star and The Argonia Argosy)
State of Kansas

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in Sumner
County, with a general paid circulation on a yearly
Basis in Sumner County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times a year, has been so published
Continuously and uninterruptedly in said county and state
For a period of more than five years prior to the first
Publication of said notice and has been admitted to the
Post Office of Conway Springs, Kansas, in Sumner County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
Regular and entire Issue of said newspaper.

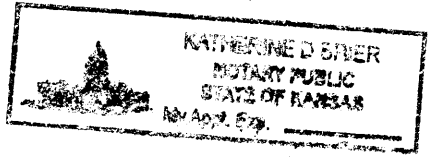
First Publication was made
On the 30TH Day of MAR., 2017
Second Publication was made
On the _____ Day of _____, 2017
Third Publication was made
On the _____ Day of _____, 2017

Total Publication Fee \$ 56.00


Subscribed and sworn to before me this
30th Day of Mar., 2017


Notary Public

My Commission expires on 5/8/19



PUBLIC NOTICE

First published in the Conway Springs Star and Argonia Argosy March 30, 2017 (36)

Public Notice
File No. 49,556

Shelly Hoobler has filed an application for permit to appropriate water for beneficial use, identified as File No. 49,556, with the Division of Water Resources, Kansas Department of Agriculture. The application proposes the appropriation of 180 acre-feet of groundwater to be diverted at the rate of 800 gallons per minute from a battery of four (4) wells for irrigation use. The proposed geo-center of the well battery would be located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW 1/4 SW 1/4 SE 1/4) of Section 9, more particularly described as being near a point 694 feet North and 2106 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East, Sumner County, Kansas.

Anyone, with existing wells in the immediate vicinity of the proposed point of diversion, is invited to submit written comments regarding Application, File No. 49,556. Persons submitting comments should specifically indicate their interest in the proposed appropriation. Comments regarding the application will be accepted through April 27, 2017.

Written comments or questions regarding the application may be directed to the Stafford Field Office, 300 S. Main Street, Stafford, Kansas 67578-1521. If you wish more information concerning the application, you may also contact Matt Meier, Environmental Scientist, in the Permits Unit of the Water Appropriation Program at (620) 234-5311.

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

March 21, 2017

Shelly S. Hoobler
1345 E 130th Ave N.
Mulvane, KS 67110

RE: Application, File No. 49,556

Dear Shelly:

Due to the large number of domestic wells in the area surrounding this proposed appropriation, you requested a public notice to notify the nearby landowners.

Enclosed is a public notification for your application to appropriate water for beneficial use. This notice should be published in a local newspaper(s) once per week for three consecutive weeks at your expense. An affidavit of publication or copies of the published notification are to be submitted to this office within two weeks of the final publication date. The date proposed in Paragraph No. 2 of the notice is designed to allow at least 15 days for public comment following the final publication, and should be revised as needed to ensure this time allowance is met.

Additionally, my review of the application determined that the test hole log was missing information on the static water level. Please contact your driller to see if you can obtain information on what the static water level is/was.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.


Sincerely,



Matt Meier
Environmental Scientist
Permits Unit

Enclosure
pc:

SCANNED



Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
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Sam Brownback, Governor

Public Notice
File No. 49,556

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Anyone, with existing wells in the immediate vicinity of the proposed point of diversion, is invited to submit written comments regarding Application, File No. 49,556. Persons submitting comments should specifically indicate their interest in the proposed appropriation. Comments regarding the application will be accepted through **April 27, 2017**.

Written comments or questions regarding the application may be directed to the Stafford Field Office, 300 S. Main Street, Stafford, Kansas 67578-1521. If you wish more information concerning this application, you may also contact Matt Meier, Environmental Scientist, in the Permits Unit of the Water Appropriation Program at (620) 234-5311.

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 31, 2016

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

Re: Pending Applications,
File Nos. 49,502 and 49,556

Dear Ms. Hoobler:

After a preliminary review of your above referenced applications for permit to appropriate water received in this office on November 12, 2015 and February 8, 2016, they are being returned to you for additional information.

The locations of all other water wells of every kind within one-half mile (½) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile (½) of the point of diversion have been plotted, or it should declare that none exist. Please follow these instructions for both applications. As we discussed on the telephone, you may request to do a public notice.

We will hold your application pending receipt of this information. If we do not hear from you on or before **May 2, 2016**, your application will be returned to you as being incomplete.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures
pc: Stafford Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 15, 2016

SHELLY S HOOBLER
1345 130TH AVE N
MULVANE KS 67110

Re: Pending Application,
File No. 49,556

Dear Ms Hoobler:

In response to your written request by electronic mail received in this office on March 13, 2016, the Chief Engineer is allowing an extension of time for thirty (30) days, in which to supply further information concerning the above referenced file. The original application was returned to you on February 11, 2016, and with this extension of time, the revised deadline will be May 9, 2016.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting this extension, you are being allowed an additional 60 days. If you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before May 9, 2016, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 9, 2016

SHELLY SCOT HOOBLER
1345 E 130 N
MULVANE KS 67110

Re: Pending Application,
File No. 49,556

Dear Ms Hoobler:

The Division of Water Resources returned the above referenced application to you for additional information on February 11, 2016, and the current deadline for your response is April 8, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application and requested information needs to be returned to this office on or before **April 8, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **April 8, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

February 11, 2016

SHELLY SCOT HOOBLER
1345 E 130 N
MULVANE KS 67110

Re: Pending Application,
File No. 49,556

Dear Ms Hoobler:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on February 8, 2016, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southeast Quarter (SE $\frac{1}{4}$) of Section 9, in Township 30 South, Range 1 East, Sumner County, Kansas.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must include the name and mailing address of the well owner. **A signed statement should be included on the map** declaring that all wells within one-half mile ($\frac{1}{2}$) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion. Your application currently includes this information; please verify the information is correct once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **April 8, 2016**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

SCANNED

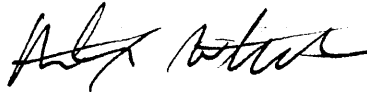
SHELLY SCOT HOOBLER

2/11/0216

Page 2 of 2

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell". The signature is fluid and cursive, with the first name "Alex" being more prominent than the last name "Whitesell".

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stafford Field Office

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
FA - Farnum Loam	95%	Mod-Slow	
TA - Tabler Silty Clay Loam	5%	Mod	
Total:	100%		

b. Estimate the average land slope in the field(s): 0-1 %

Estimate the maximum land slope in the field(s): 0-1 %

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 35 psi

(2) What is the sprinkler package design rate? 800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 65 feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Corn, Soybeans, Grain Sorghum, + Wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Irrigation will be determined by best management practices. Crop water use efficiencies are measured by water probes and charts. Some water probes are fixed in soil and report water usage daily. Plant usage

You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER RESOURCES RECEIVED

MAR 28 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

FEB 08 2016

KS DEPT OF AGRICULTURE

SCANNED

IRRIGATION TEST WELL

Driller & Assistant: Tom Kelly / Tucker / Tyler Date: 2/16/16

CUSTOMER: Mark Lambert (Shelly) 1345 E. 130th Ave N.

LOCATION: HOOPER Mulvane, KS 67110 316-641-8256

- | | | | |
|--|---------------------------------------|--|---|
| <input type="checkbox"/> Screen 2-1/2" | <input type="checkbox"/> Holeplug | <input type="checkbox"/> Gas & Oil - W.T. | <input type="checkbox"/> 6" or 5" Liner if needed |
| <input type="checkbox"/> Casing 2-1/2" | <input type="checkbox"/> Quarters | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solvent & Glue |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water | <input type="checkbox"/> 2-1/2" PVC Tee | <input type="checkbox"/> Water Sample Bottle |
| <input type="checkbox"/> End Caps, 2-1/2" | <input type="checkbox"/> Lime | <input type="checkbox"/> 5" & 6" Bits | <input type="checkbox"/> Inspection Sheet |
| <input type="checkbox"/> Gravel Pack | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing | |

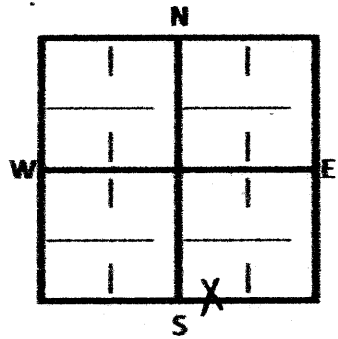
#16

Depth:	Formation:	Well Information:
0-1	T.S.	Static Water Level:
1-5	clay	Est. production:
5-8	clay w/ sand-f	Casing depth: <u>not cased.</u>
8-16	Sand m-c	Screen depth:
16-19	Sand c w/ med gravel / little clay.	Slot size:
19-24	Sand + g m-c	Grouting depth: <u>40'-0"</u>
24-26	Sand + g w/ floating shale	Number of bags: <u>1 bag bentonite.</u>
26-40	shale	Nearest Contamination: <u>600 ft</u> <u>None within 1/4 mile.</u>
		Maintenance & Safety:
		Notes:

Directions:
 Latitude: 37.45041935 N decimal degrees (ex. 38.881796)
 Longitude: -97.32139684 W decimal degrees (ex. 95.373889)
 Datum: NAD27 NAD83 WGS84

1246

SE 1/4	SW 1/4	SW 1/4	SE 1/4
Sec. 9	T 30	R 1	E 1/4
County <u>SUMNER</u>			



\$ 8 ⁰⁰	/ft. Well
\$ 50 ⁰⁰	/Grout
\$ N/A	/Test Pumping
\$ NONE	/Water Sample
\$ 100 ⁰⁰	/Mobilization/Travel

Contract Received: _____
 Invoice #: 1291
 Date Mailed: 2/17/16
 Well Data: _____ Access: _____
 Materials: _____ Incent: _____

WATER RESOURCES
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 MAR 28 2016
 KS DEPT OF AGRICULTURE

Feb 2 2016
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application File No. 49,556

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

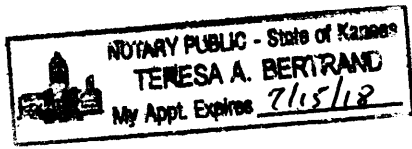
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Shelly S Hoobler
Signature of Applicant

State of Kansas)
County of Sumner) ss

Shelly S Hoobler
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of February, 2016.



Teresa A Bertrand
Notary Public

My Commission Expires: 7/15/18

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MAR 28 2016

SCANNED FEB 08 2016

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 44,550

Name of Applicant (Please Print): Shelly Hoobler

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: TWYLA Wagner
ADDRESS: 1345 E 130th Avenue, KS 67110

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
* 9	30s	1E														X	X	X	X	40
																X	X	X	X	40
																X	X	X	8	38
																X	X			20

x = 10 acres

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

* ASW DWR

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary



Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

February 8, 2016

SHELLY SCOT HOOBELR
1345 E 130TH AVE N
MULVANE KS 67110

RE: Application
File No. 49556

Dear Sir or Madam:

Your application for permit to appropriate water in 9-30S-1E in Sumner County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Kopp", written over a horizontal line.

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STAFFORDField Office
GMD

SCANNED

One Half (1/2) Mile Circle File No. 49,556



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Request to Do Public Notice SSA

I declare that the names and addresses of the landowners of all wells of any kind with 1/2 mile of the proposed point of diversion are shown

APR 11 2016

Signature: *[Handwritten Signature]*

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SCANNED

AJW/DWR
Date: 3/31/2016





I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

-  ProposedPD
-  Water Rights
-  SFFOsec_corners
-  ProposedPlaceOfUse

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Signature _____ Date _____
 0 800 1,600 3,200 4,800 6,400 Feet

Created By: Matt Meier
 F.O. 2
 Date: 3/24/2016

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Air Photo Sec 9-30-1E SE 1/4



= In. area

S101306 RTE

Center of sec

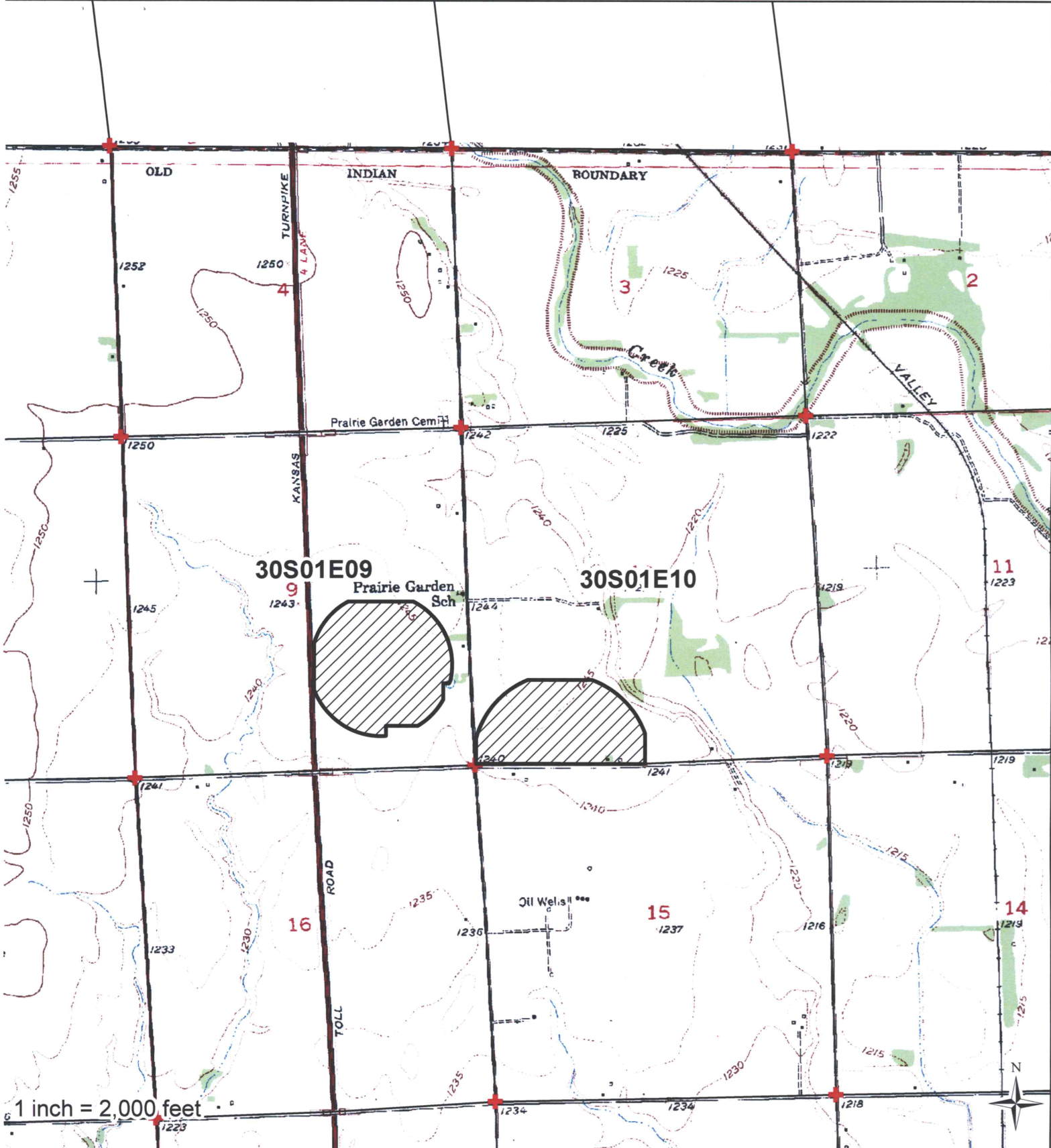
WATER RESOURCES RECEIVED

FEB 08 2016

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SCANNED

SCANNED



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

WATER RESOURCES RECEIVED

- ProposedPD
- ▲ Water Rights
- + SFFOsec_corners
- ProposedPlaceOfUse

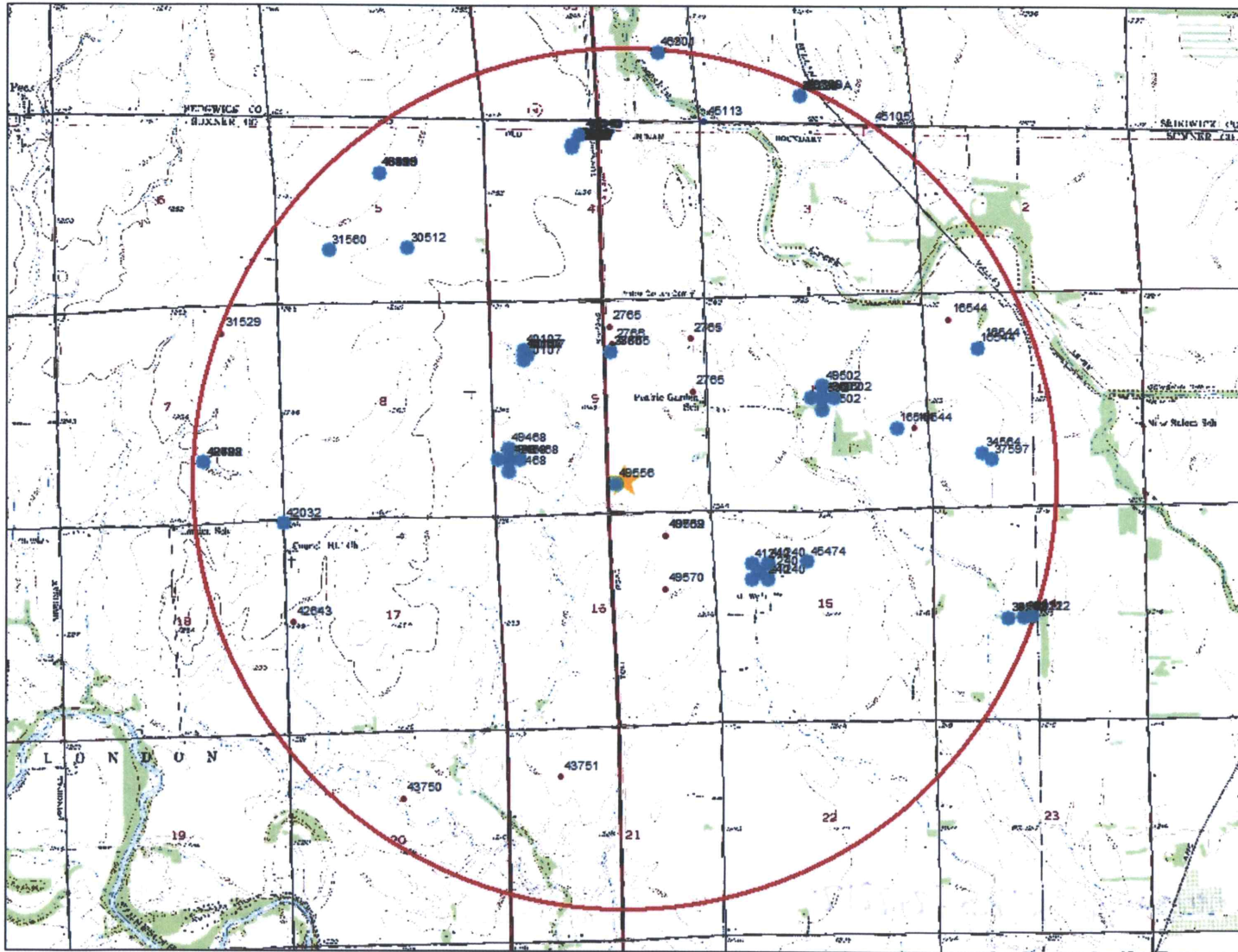
Signature _____ Date **MAR 28 2016**

0 800 1,600 3,200 4,800 6,400 Feet

Created By: Matt Meier
F.O. 2
Date: 3/24/2016

#49556

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SENWSWSE 09-30S-01E



Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 2,714.18 AF.
 Total prior appropriation in the circle is 2,367.82 AF.
 Total quantity of water available for appropriation is 346.36 AF.

*Meets
 Safe Yield*

-2122.32 = 591.86 AF available

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 5.4 inches.
 The percent of recharge available for appropriation is 75%.

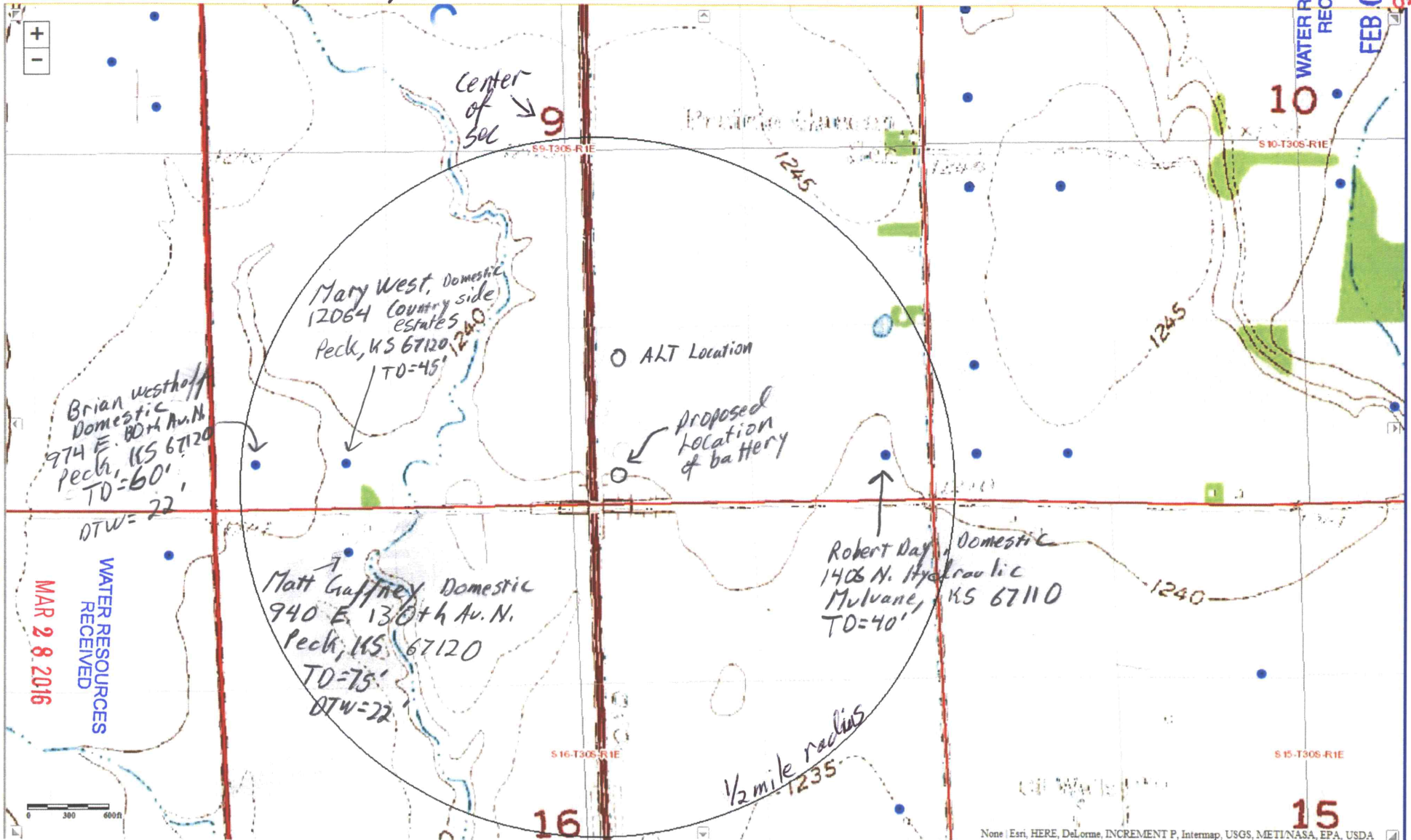
Authorized Quantity values are as of 06-JUN-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 25 water right(s) and 41 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 2765	00 IRR	NK	G		NW	SW	NE	3922	2404	09	30	01E	4	WR	26.00	26.00	119.00	119.00
A 16544	00 IRR	NK	G			NC	NW	3849	4101	11	30	01E	7	PD	57.00	57.00	120.00	120.00
Same	IRR	NK	G		NC	NE	SE	1967	616	10	30	01E	2	PD	16.00	16.00		
A 29729	00 IRR	NK	G		NE	SE	SW	753	2784	34	29	01E	9	PD	60.00	42.00	229.56	229.56
A 30512	00 IRR	NK	G		NC	W2	SE	1320	1980	05	30	01E	1	WR	42.00	42.00	79.00	79.00
A 31560	00 IRR	NK	G		NC	SW		1360	4000	05	30	01E	2	WR	194.00	194.00	160.00	160.00
A 34563	00 IRR	NK	G		NE	NE	SW	2575	2656	14	30	01E	5	WR	54.00	54.00	156.00	156.00
A 34564	00 IRR	NK	G			NC	SW	1320	4000	11	30	01E	2	WR	178.00	178.00	134.80	134.80
A 37597	00 IRR	NK	G		NW	SE	SW	1025	3855	11	30	01E	4	WR	24.00	24.00	135.00	0.00
A 38805	00 IRR	NK	G		NW	SW	NE	3922	2404	09	30	01E	4	WR	153.00	153.00	119.00	0.00
A 39212	00 IRR	NK	G		NE	NE	SW	2575	2656	14	30	01E	5	WR	180.00	134.00	156.00	0.00
Same	IRR	NK	G		NE	NE	SW	2525	2802	14	30	01E	6	WR				
Same	IRR	NK	G		NE	NE	SW	2520	3000	14	30	01E	7	WR				
A 40107	00 IRR	NK	G		NE	SW	NW	3983	4549	09	30	01E	8	WR	202.50	202.50	141.25	141.25
Same	IRR	NK	G		NE	SW	NW	3728	4549	09	30	01E	9	WR				
Same	IRR	NK	G		NE	SW	NW	3856	4447	09	30	01E	10	WR				
Same	IRR	NK	G		NE	SW	NW	3856	4549	09	30	01E	7	WR				
Same	IRR	NK	G		NE	SW	NW	3856	4524	09	30	01E	11	WR				
A 40199	00 IRR	NK	G					3164	2660	05	30	01E	4	WR	65.30	65.30	111.00	111.00
A 41240	00 IRR	NK	G		NE	NW	NW	3681	4331	15	30	01E	1	WR	145.00	145.00	130.00	130.00
Same	IRR	NK	G		NE	SW	NW	3884	4133	15	30	01E	5	WR				

955164

Topo Map SE/4 sec 9-30-1E



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MAR 28 2016

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SCANNED FEB 08 2016

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